

REMARKS

A. Examiner Telephone Interview

Applicants' attorney David Silverstein acknowledges with thanks the courtesy of an Examiner telephone interview with Examiner Yamnitzky on January 5, 2011 relating to the outstanding Patent Office Action in the subject patent application. As correctly summarized in the PTOL-413 (Examiner Interview Summary) dated January 6, 2011, the telephone interview included detailed discussions about how best to respond to the Examiner's drawing objections, about Applicants' proposals to address the various Sec. 112 issues, and about how a proposed claim amendment would distinguish over the cited prior art.

No firm agreement was reached about the allowability of any claims. However, Applicants and their attorney deeply appreciate the Examiner's time and assistance in addressing the various outstanding issues. In this Amendment and Response, Applicants have endeavored to follow the Examiner's suggestions. Additional details about the telephone interview relative to specific portions of the Office Action are incorporated into the following Remarks.

B. Drawing Objections

In para. 2 of the Office Action, the Examiner objected to Figs. 4, 8 and 9a through 17c of the drawings on various grounds. As noted above, Applicants are submitting herewith proposed Replacement Sheets 1/10 through 10/10, completely replacing pending drawing Sheets 1/26 to 26/26. The Replacement Sheets of drawings are believed to respond to all of the Examiner's drawing objections.

More particularly, in the Replacement Sheets, the “floating R” in Fig. 4 and the chemical formulae for TPD and mTADATA in Fig. 8 have been corrected in accordance with telephone discussions with the Examiner. The “inset” graphs have been deleted from Figs. 9a, 9b and 9c (previously Figs. 16a, 16b and 16c) and replaced with corresponding descriptive matter in the Specification.

C. Amendment of the Abstract

The Abstract has been amended herein consistent with telephone discussions with the Examiner. The Examiner specifically requested the addition of the chemical formula for the currently claimed electroluminescent compounds to the Abstract, but noted that it was not necessary to identify the variables and substituent groups of the chemical formula in the Abstract.

D. Amendments to the Specification

First, the Specification has been amended to add a specific reference to the priority applications. The added “Cross-Reference To Related Applications” is consistent with the USPTO Filing Receipt.

Second, in response to the first part of para. 5 of the Office Action, the Specification has been amended to add a “Brief Description of the Drawings.” The characterization of Figs. 1 to 9c in the “Brief Description” is drawn from and is completely consistent with the way these figures are described in the Specification as filed.

Third, pages 3, 4, 5 and 6 of the Specification have been amended to address the other issues raised by the Examiner in para. 5 of the Office Action. Specifically, these pages of the

Specification have been amended to focus solely on the invention embodiment being claimed. Also, as the Examiner suggested, bracketing has been added around the left and right ligands of the di-metallic complex used as a reactant in preparing the claimed electroluminescent compounds.

Fourth, pages 29-31 of the Specification have been amended to delete references to the drawings that have been deleted and to add the corresponding descriptive matter to substitute for the “inset” graphs that have been deleted from Figs. 9a, 9b and 9c (previously Figs. 16a, 16b and 16c), as discussed above. The phrasing of the corresponding descriptive matter that has been added to page 30 was discussed with Examiner Yamnitzky during the January 5, 2011 telephone interview and received her tentative approval.

E. Claim Amendments – Sec. 112 Rejections

Various amendments to the claims have been made in this Amendment and Response to respond to the several Sec. 112 issues raised in the Office Action. No new matter has been added, and each of the claim amendments is fully supported by the original disclosure. Also, each of the claim amendments was discussed with Examiner Yamnitzky during the January 5, 2011 telephone interview and received her tentative approval.

First, in response to the issues raised in para. 6 of the Office Action, Claims 29 and 35-37 have been canceled. New Claim 49 is a compound claim that corresponds to Claim 29, but it is focused on a particular electroluminescent compound embodiment of the invention, and it defines the sum “(n+1)” as “equal to the valency of M.” Similarly, new Claim 55 is a method of preparation claim that corresponds to Claim 36, but it is focused on a particular electroluminescent compound embodiment of the invention, and it defines the sum “(n+1)” as

“equal to the valency of M.” These claim amendments/new claims are also consistent with the telephone discussions with the Examiner.

Second, in response to the issues raised in para. 7 of the Office Action, and based on telephone discussions with the Examiner, a number of other minor claim amendments have been made. Thus, in new independent Claims 49 and 55 (replacing Claims 29 and 36), the term “halogen groups” has been amended to “halogens.”

Also, the term “aryloxy groups” has been added to new Claims 49 and 55. Claim 31 has been amended to depend from new Claim 49 and to recite only “aliphatic groups and aromatic groups.” The other groups previously recited in Claim 31 are now recited in new Claim 50.

Also, Claims 32 and 33 have been canceled, and Claim 34 now depends from new Claim 49. These amendments are believed to obviate all of the para. 7 issues related to Claims 32-34.

Also, Claims 35-37 have been canceled; and, in new Claim 55, “M” is defined the same way as in new Claim 49 and previous Claim 29. These amendments are believed to obviate all of the para. 7 issues related to Claims 35-37.

Also, Claim 40 has been amended to address the various para. 7 issues, again in accordance with the telephone discussions with the Examiner. The specific chemical formulae have been added to Claim 40, and the substituents groups in these formulae are defined in Claim 40 consistent with pages 8 to 13 of the Specification. New Claims 51, 52, 53 and 54 have been added to focus on types of “hole transmitting material” that were deleted from Claim 40 as amended.

Also, Claims 45 and 46 have been amended to address the para. 7 issues with respect to these claims. The specific chemical formulae have been added to Claim 45, and the substituents groups in these formulae are defined in Claim 45 consistent with pages 8 to 13 of the Specification.

It is therefore respectfully submitted that all of the Sec. 112 issues raised in the Office Action have been obviated by this Amendment and Response.

F. The Prior Art Rejections

In paras. 10, 11, 12, 13 and 14, the claims were rejected under 35 U.S.C. §102(b) as being anticipated by one or another of the following references: Kathirgamanathan '554; Igarashi '782; Thompson '656; Lamansky '441; and Igarashi '984.

During the telephone interview of January 5, 2011, Applicants' attorney respectfully submitted that none of these five references taught or suggested the pyrazole-type metallic complexes that are now the focus of the pending claims. Accordingly, it was argued that the proposed claim amendments (as reflected in this Amendment and Response) would patentably distinguish over the art of record.

The Examiner tentatively agreed with this position. She indicated that she would need to update her prior art search and consider whether any other references might be relevant to the claims as presently focused. In the absence of identifying other relevant art, however, she indicated that the claims as herein presented would probably be found to be allowable over the art.

Based on these telephone discussions, no additional arguments will be presented here with respect to the Kathirgamanathan '554, Igarashi '782, Thompson '656, Lamansky '441,

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and Igarashi '984 references; and, this Amendment and Response should be regarded as fully responsive to the Office Action of September 28, 2010.

SUMMARY AND CONCLUSIONS

For all of the foregoing reasons, the claims now pending are believed to be in condition for allowance and an early notice thereof is earnestly requested.

Respectfully submitted,



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